

UTC
2/24/11

2011 City of San Jose - OE 3 Negotiations

OE 3 Proposal - Arbitrator Lists

Article 12 Grievances

- 12.6.3 If the employee is not satisfied with the decision of the Municipal Employee Relations Officer or designee, the appropriate Union representative may appeal the grievance to 12.7 - Step IV - Adjustment Board

(c) Step IV Adjustment Board

If the parties are unable to reach a mutually satisfactory accord on any grievance which arises and is presented during the term of this MOU, the Union may advance the grievance to an Adjustment Board by submitting a written request to Employee Relations within twenty-eight calendar days from the date of the Step III denial. The Adjustment Board shall be comprised of two members designated by the Union and two designated by the City. Either party may request that one member of the Adjustment Board for the other party not be a City employee. Adjustment boards shall be convened within twenty-eight calendar days from the date such notification is received.

(d) Step V. Arbitration

If an Adjustment Board is unable to arrive at a majority decision, the Union may invoke arbitration by sending Employee Relations a written request within twenty-eight calendar days after receipt of the Adjustment Board's decision. When arbitration is timely invoked, an arbitrator shall be designated by mutual agreement between the parties. The fees and expenses of the arbitrator and the Court Reporter shall be shared equally by the parties. Each party shall bear the costs of its own presentation, including preparation and post-hearing briefs, if any.